

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

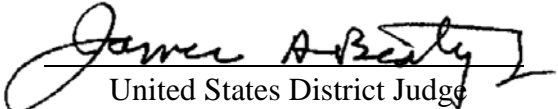
ALONZO SMITH REID, JR.,)	
)	
Petitioner,)	
)	1:06CV00329
v.)	1:04CR336-1
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

O-R-D-E-R

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on April 13, 2006, was served on the parties in this action. Petitioner objected to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's recommendation.

IT IS THEREFORE ORDERED that this action be dismissed without prejudice to Petitioner seeking leave to amend his pending § 2255 motion. A judgment dismissing this action will be entered contemporaneously with this Order.


United States District Judge

Date: June 5, 2006